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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

JEDEDIAH CHARLES HILLER,

Defendant and Appellant.

A148179

(Humboldt County
Super. Ct. No. CR1505212A)

Defendant Jedediah Charles Hiller appeals from a judgment of conviction following his guilty plea to a single count of sale or transportation of a controlled substance. His court-appointed counsel has filed a brief seeking our independent review of the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436 to determine whether there are any arguable issues on appeal. We conclude there are no issues requiring further review and affirm.

BACKGROUND

According to the probation report in this case, Hiller was arrested following a traffic stop. Arcata police stopped the car he was driving and observed a pound of marijuana on the back seat. Once officers determined Hiller was on parole and his companion was on probation, they were searched.

Officers found 4.8 pounds of marijuana that Hiller said belonged to him in the car. They also found two ounces of methamphetamine in his backpack.

An information charged Hiller with sale or transportation of a controlled substance in violation of Health and Safety Code section 11379, subdivision (a), with special

allegations that he served two prior terms in a state prison. He was also charged with possession of a controlled substance, transportation of marijuana, and possession of marijuana for sale with the same prior prison term allegations on each count.

Hiller agreed to an open guilty plea to a single count of sale or transportation of a controlled substance and one of the special allegations. In return, the other counts were dismissed and the other special allegations were withdrawn.

Prior to sentencing, Hiller moved to strike the special enhancement allegation in the interests of justice. The court declined to strike the allegation, and sentenced Hiller to the base term of three years doubled to six years due to the enhancement. He was awarded 306 days of pre-sentence credits and fees and fines were imposed in lawful measure. Hiller timely appealed.

DISCUSSION

Based upon our review of the record, we have no reason to question the sufficiency of the court's advisements, Hiller's waivers or the explanation of the consequences of his plea. His plea appears to be free, knowing and voluntary. We have no reason to question the plea or the sentence imposed.

Hiller's counsel has represented that she advised Hiller of her intention to file a *Wende* brief in this case and of Hiller's right to submit supplemental written argument on his own behalf. He has not done so. Hiller has also been advised of his right to request that counsel be relieved.

There was no error. Our full review of the record reveals no issue that requires further briefing.

DISPOSITION

The judgment is affirmed.

Siggins, J.

We concur:

McGuiness, P.J.

Pollak, J.

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